

**TRANSFER OF STATE 30 J-1 VISA WAIVER RECIPIENT:  
STATE LETTER OF CONCURRENCE GUIDELINES**

**It is expected that recipients of State 30 J-1 Visa Waivers will complete their minimum 3 year obligation to provide medical care in the Health Profession Shortage Area (HPSA) or Medically Underserved Area (MUA) for which they were initially approved.** However, in unusual circumstances, it may be necessary for a physician to change employers or practice locations. When this happens, a letter of concurrence from the Kentucky Department for Public Health is needed to obtain INS approval of the transfer. The following items are required to obtain a State of Kentucky letter of concurrence for a State 30 J-1 Visa Waiver recipient physician who desires to transfer to another location in Kentucky:

1. A letter from the J-1 physician requesting such transfer stating the reason for leaving the previous employer and/or location and requesting the Department for Public Health to provide a letter of concurrence.
2. A letter from the new employer which includes;
  - a. A description of the facility, identifies the HPSA or MUA in which the facility is located, and describes the unmet needs of the community that approval of the transfer will address.
  - b. A statement that the facility accepts assignment for Medicare and Medicaid and continues to accept new patients up to any limits established by those programs.
  - c. A statement that the facility provides services to all without regard to method of payment or ability to pay and that the facility will utilize a mechanism to reduce fees for individuals without health insurance and mechanism to reduce fees for individuals without health insurance and whose family incomes fall below 200% of the federal poverty level.
  - d. A brief description of recent attempts to recruit an American physician to the facility or area.
  - e. A description of how the approval of the transfer is in the national interest.
3. Copy of employment contract which includes;
  - a. A statement that the J-1 physician will provide medical care in the HPSA or MUA for a minimum of 40 hours per week.
  - b. A time period equivalent to the remaining period of the J-1 physician's initial 3 year commitment to practice in an approved HPSA or MUA.
  - c. A description of services that physician will provide.  
(N.B.: The contract must not include a non-compete clause.)